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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 **-oOo-**

7 UNITED STATES OF AMERICA,)
8 Plaintiff,) 2:97-cr-00205-GMN(RJJ)
9 v.) MOTION FOR LEAVE TO DISMISS
10 WAYNE T. PHILLIPS,)
11 Defendant.)
12 _____)

13 Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court
14 endorsed hereon, the United States Attorney for the District of Nevada hereby dismisses the Indictment
15 filed on September 17, 1997, and requests the case be closed, based on the fugitive status of the
16 defendant and the age of the case.

17 DANIEL G. BOGDEN
18 United States Attorney

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20 /s/
RUSSELL E. MARSH
Assistant United States Attorney

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23 Leave of Court is granted for the filing of the foregoing motion for leave to dismiss and the
24 case is ordered closed.

25 **DATED** this 28th day of April, 2011.

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Gloria M. Navarro
United States District Judge